

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOEL PAUL REESMAN,

Petitioner,
v.

RON HAYNES,

Respondent.

CASE NO. C16-5925 BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

V.

RON HAYNES,

Respondent.

This matter comes before the Court on the Report and Recommendation ("R&R")

of the Honorable Theresa L. Fricke, United States Magistrate Judge, Dkt. 86, and

Petitioner Joel Paul Reesman’s (“Reesman”) objections to the R&R, Dkt. 87.

On May 28, 2019, Judge Fricke issued the R&R recommending that the Court

deny Reesman's actual innocence claim and deny a certificate of appealability. Dkt. 86.

On May 30, 2019, Reesman filed objections. Dkt. 87.

The district judge must determine de novo any part of the magistrate judge's

disposition that has been properly objected to. The district judge may accept, reject, or

modify the recommended disposition; receive further evidence; or return the matter to the

magistrate judge with instructions Fed. R. Civ. P. 72(b)(3)

In this case, Reesman simply disagrees with Judge Fricke's conclusions. The Court, however, agrees with Judge Fricke that Reesman failed to show that no reasonable juror would convict him based on the evidence he presented. Therefore, the Court having considered the R&R, Reesman's objections, and the remaining record, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;
 - (2) Reesman's petition is **DENIED**;
 - (3) A Certificate of Appealability is **DENIED**; and
 - (4) The Clerk shall enter a JUDGMENT and close the case.

Dated this 10th day of July, 2019.


BENJAMIN H. SETTLE
United States District Judge